

**DRAFT**  
**Subject to Legal Review for Clarity and Consistency**  
**April 3, 2003**

*To be established through an exchange of letters not later than 30 days after the date of entry into force of the Agreement.*

**Committee on Sanitary and Phytosanitary Matters**  
**Terms of Reference**

1. The Committee shall meet at least once a year unless the Parties otherwise agree. The Committee should meet alternately in each Party's territory. The Party hosting the meeting shall act as Chair of the meeting and shall be responsible for providing adequate administrative support including, but not limited to, translation services for meetings and documents. Committee meetings shall be conducted in the Spanish and English languages unless the Parties otherwise agree.
2. Each Party shall be responsible for any travel, lodging, and other expenses that its officials incur in attending Committee meetings.
3. The Parties shall agree on the dates, venues, procedures and agendas for meetings of the Committee. They shall seek to agree on these matters at least 30 days prior to each such meeting.
4. Representatives of each Party's relevant trade and regulatory agencies or ministries shall participate in meetings of the Committee as appropriate in view of the agenda and issues to be discussed.
5. The Committee shall provide terms of reference for any *ad hoc* working group that it establishes each such group and set specific deadlines for completing their work. The host for the working group shall provide translation services. Each working group shall prepare a written report, in the English and Spanish languages, that it shall submit to the Committee for the Committee's consideration. Each Party shall be responsible for the expenses its members incur in participating in a working group unless the Parties otherwise agree.
6. To the extent possible, a Party should identify any sanitary or phytosanitary matter that it wishes the Committee to consider, including any matter regarding sanitary or phytosanitary activities undertaken by the other Party, by providing relevant information to the other Party, in writing, and proposing the matter for inclusion on the agenda of the next meeting of the Committee. The Party shall provide the information at least 15 days prior to the meeting.
7. Where a specific sanitary and phytosanitary matter requires attention before a meeting of the Committee can be scheduled, the Parties may agree on an alternative process for addressing the matter, including by encouraging technical discussions between the relevant agencies of the Parties, in person or through teleconferences or videoconferences:

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8. The Committee shall strive to achieve a mutually satisfactory resolution of any matter that a Party refers to it for consideration.

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**Annex**

**Agencies Responsible for SPS Measures**

**CHILE:**

Trade Agencies

Dirección General de Relaciones Económicas Internacionales (DIRECON)  
Servicio Agrícola y Ganadero (SAG)

Regulatory Agencies

Ministerio de Agricultura

Servicio Agrícola y Ganadero (SAG)

Departamento de Asuntos Internacionales  
Plant and Animal Health.

Establishes import conditions and conducts import inspections to prevent introduction of exotic plant and animal pests and diseases.

Provides certification for exports of live animals and animal products, plants and plant products.

Food safety

Provides certification for primary products for exports.

Ministerio de Economía

Subsecretaría de Pesca y Servicio Nacional de Pesca (SERNAPESCA)

Aquatics Animal Health

Establishes import conditions and conducts import inspections to prevent introduction of exotic diseases.

Provides certification for exports of live animals.

Food safety

Provides certification for exports of primary and processed animal products (Seafood).

Ministerio de Salud

División de Salud Ambiental (DISAM)

Food safety

Establishes domestic consumption control.

Provides certification for processed products for exports.

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**Trade Agencies**

Office of the U.S. Trade Representative  
Department of Agriculture  
    Foreign Agricultural Service  
Department of Commerce  
    International Trade Administration  
Department of State

**Regulatory Agencies**

Department of Agriculture

    Animal and Plant Health and Inspection Service

        Establishes import conditions and conducts import inspections to prevent introduction of exotic plant and animal pests and diseases.

        Provides certification for exports of live animals and animal products, plants and plant products.

    Food Safety Inspection Service

        Ensures the safety and wholesomeness of meat, poultry and egg products consumed in the United States.

        Establishes import conditions for meat, poultry and egg products.

        Conducts food safety inspections for meat, poultry and egg products.

        Provides export certification for meat, poultry and egg products.

Food and Drug Administration

    Center for Food Safety and Applied Nutrition

        Ensures the safety and wholesomeness of foods consumed in the United States, with the exception of meat, poultry and certain egg products.

        Reviews and approves food additives. Whole foods marketed in the United States, regardless of origin, are not subject to approval.

        Applies specific regulations for low acid canned foods and infant formula.

        Enforces pesticide residue levels established by the Environmental Protection Agency.

    Center for Veterinary Medicine

        Sets veterinarian medicine residue limits for foods of animal origin.

Environmental Protection Agency

    Office of Prevention, Pesticides and Toxic Substances

        Establishes tolerances for pesticide residues for food.